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GOVERNMENT OF INDIA

MINISTRY OF INDUSTRY AND SUPPLY

RESOLUTION

PATENTS ENQUIRY COMMITTEE

New Delhi, the 1st October 1948

No. 223-IRP (6)/48.—There has been a demand both from industrialists and from others for a review of the laws relating to patents in India with a view to ensuring that the patent system is more conducive to national interests than at present. In his opening speech at the Conference on Industrial Development in India on 15th December, 1947, the Honourable Minister, Industry and Supply announced that the Government of India would consider this question. After a careful examination of the position, the Government of India have now decided to set up a Committee to review the Patent Laws in India.

2. The terms of reference to the Committee are as follows:—

- (1) to survey and report on the working of the Patent System in India;
- (2) to examine the existing Patent legislation in India and to make recommendations for improving it, particularly with reference to the provisions concerned with the prevention of abuse of patent rights;
- (3) to consider whether any special restrictions should be imposed on patents regarding food and medicine;
- (4) to suggest steps for ensuring effective publicity to the patent system and to patent literature, particularly as regards patents obtained by Indian inventors;
- (5) to consider the necessity and feasibility of setting up a National Patents Trust;
- (6) to consider the desirability or otherwise of regulating the profession of patent agents;
- (7) to examine the working of the Patent Office and the services rendered by it to the public and make suitable recommendations for improvement; and
- (8) to report generally on any improvement that the Committee thinks fit to recommend for enabling the Indian Patent System to be more conducive to national interest, by encouraging invention and the commercial development and use of inventions.

3. The composition of the Committee will be as follows:—

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| 1. Bakhshi Sir Tek Chand, Retired High Court Judge and Member, Constituent Assembly of India. | CHAIRMAN |
| 2. Sir Gurusnath Bewoor, Tata Industries Ltd., New Delhi. | MEMBER |
| 3. Major-General S. S. Sekhoy, Director, Haffkins Institute, Bombay. | MEMBER |
| 4. Mr. S. M. Basu, Solicitor, Calcutta. | MEMBER |
| 5. Mr. N. Barwell, Barrister, Calcutta. | MEMBER |
| 6. Mr. S. P. Sen, Bengal Chemical and Pharmaceutical Works, Ltd., Calcutta. | MEMBER |
| 7. Dewan Bahadur K. Rama Pai | [MEMBER SECRETARY] |

4. The Headquarters of the Committee will be New Delhi. It is expected that the Committee will start its work at an early date. The Committee will visit such places in India as it may consider necessary and will take evidence on questions arising from the terms of reference. The Committee will prepare and notify its programme in due course. The Committee is authorised to call for information in writing and take evidence from any Department or officers of Government on matters which fall within the terms of reference. The Government of India hope that the Provincial Governments will afford to the Committee all the assistance which it may require and will supply it with any information which it may ask for.

5. Persons who desire to be called as witnesses are requested to apply in writing to the Secretary of the Committee, care of the Ministry of Industry and Supply, Government of India, New Delhi, giving their full names and addresses, together with a brief memorandum of points in regard to which they desire to give evidence.

ORDER

ORDERED that a copy of the above Resolution be published in the *Gazette of India* and communicated to all Provincial Governments and Administrations, all Ministries of the Government of India, Cabinet Secretariat, Prime Minister's Secretariat, the Indian Trade Commissioners, All Indian Embassies, High Commissioner for India, London, His Majesty's Trade Commissioner in India, all Chambers of Commerce and Associations, High Commissioner for India in Pakistan, Karachi and the High Commissioner for Pakistan in India, New Delhi.

S. A. VENKATARAMAN, Secy

MINISTRY OF STATES

NOTIFICATION

New Delhi, the 30th September 1948

No. 308-P(a).—The Central Government have, after consultation with the Chief Commissioner of Himachal Pradesh, nominated the following persons to serve on the Advisory Council for the Himachal Pradesh:

1. His Highness the Raja of Mandi, K.C.S.J.
2. The Raja of Baghat, C.I.E.
3. Shrinati Lillavati.
4. Dr. Y. S. Parmar.
5. Mehta Avtar Chand.
6. Swami Purna Nand.
7. Shri Padam Dev.

No. 309-P(a).—The Central Government is pleased to constitute an Advisory Council to advise the Chief Commissioner, Himachal Pradesh, in the discharge of his administrative functions and to make the following provisions to regulate its constitution and procedure:

(1) The Advisory Council shall consist of the Chief Commissioner, who shall be the President of the Council, and 7 other members. Of these 7 members 3 will be representatives of the Rulers of the States which have been integrated in Himachal Pradesh and 4 will be representatives of the people.

Members of the Advisory Council shall be nominated by the Central Government in consultation with the Chief Commissioner.

All residents of the Province, above the age of 21, shall be eligible for nomination as members.

(2) The Chief Commissioner will seek the Advice of the Council on (a) all financial matters except those which are not subject to the vote of the Legislative Assembly except that items involving recurring expenditure upto Rs. 25,000 and non-recurring upto Rs. 1,00,000 need not be referred to the Council;

(b) matters of administration involving general policy, schemes of development and proposals for legislation and not on matters relating to the day-to-day administration or to individual appointments not involving a principle of any importance;

(c) general questions touching the implementation of general policy and schemes of development;

(d) any other matter which the Chief Commissioner or the Government of India may refer to the Council.

(3) Members will have powers in regard to resolutions and interpellations but the Chief Commissioner may, in the public interest, refuse to give information or allow discussion of these.

(4) The Chief Commissioner may permit his officers to be present at the meetings and participate in the discussions or furnish information but they will not have a right to vote.

(5) The functions of the Council will be purely advisory but though their advice will not be binding on the Chief Commissioner, he will give due weight to it in reaching decisions or in making recommendations to Government.

(6) The Advisory Council will meet at least once in three months.

(7) There shall be paid to every member of the Advisory Council travelling and daily allowances at the rates admissible to members of the East Punjab Legislative Assembly whenever they attend meetings of the Advisory Council.

DHARMA VIRA, Joint Secy.

